

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

FEDERAL DEPOSIT INSURANCE CORPORATION
AS RECEIVER FOR CITIZENS NATIONAL BANK
and RECEIVER FOR STRATEGIC CAPITAL BANK,

Plaintiff,

v.

BEAR STEARNS ASSET BACKED SECURITIES I
LLC; THE BEAR STEARNS COMPANIES LLC.;
J.P. MORGAN SECURITIES LLC.; CITICORP
MORTGAGE SECURITIES, INC.;
CITIMORTGAGE, INC.; CITIGROUP GLOBAL
MARKETS INC.; CREDIT SUISSE FIRST
BOSTON MORTGAGE SECURITIES CORP.;
CREDIT SUISSE MANAGEMENT LLC; CREDIT
SUISSE SECURITIES (USA) LLC; MERRILL
LYNCH MORTGAGE INVESTORS, INC.;
MERRILL LYNCH MORTGAGE CAPITAL INC.;
MERRILL LYNCH, PIERCE, FENNER & SMITH
INC.; ALLY SECURITIES, LLC; DEUTSCHE
BANK SECURITIES INC.; HSBC SECURITIES
(USA) INC.; RBS SECURITIES INC.; and UBS
SECURITIES LLC,

Defendants.

No. 12 Civ. 4000 (LTS)(JW)

MEMO ENDORSED

PLAINTIFF'S MOTION FOR LEAVE TO FILE UNDER SEAL

Plaintiff, the Federal Deposit Insurance Corporation as Receiver for Citizens National Bank, submits this motion for leave to file under seal unredacted versions of (1) Exhibit 44 to the Declaration of Jisun Park in Support of Plaintiff's Opposition to Deutsche Bank Securities Inc.'s Motion for Summary Judgment, and (2) Exhibit 45 to the Declaration of Jisun Park in Support of Plaintiff's Opposition to Deutsche Bank Securities Inc.'s Motion for Summary Judgment. In support of this motion, Plaintiff states as follows:

1. This Court entered an Amended Stipulation and Protective Order (“Protective Order”) in this action on February 3, 2021. (ECF No. 241.) Pursuant to the Protective Order, the parties may designate material disclosed in this action as Confidential or Highly Confidential.

2. The Protective Order requires any party seeking to file material designated Confidential with the Court to request that such material be filed under seal. Protective Order ¶ 23. In addition, Section A.5(a) of this Court’s Individual Rules requires that any party wishing to file in redacted form any document must make a specific request to the Court by letter-motion or motion. Plaintiff is therefore making this motion in compliance with the Protective Order and the Court’s Individual Rules.

3. Plaintiff has conferred with Defendant Deutsche Bank Securities Inc. (“Deutsche Bank”), and Deutsche Bank does not oppose this motion.

4. Exhibits 44 and 45 contain excerpts of deposition testimony given by former employees of Deutsche Bank that were designated Confidential under the Protective Order by Deutsche Bank. The excerpts that Plaintiff intends to use to support its Opposition contain a small portion of testimony that discloses each former employee’s home address. Deutsche Bank has stated that the former employees’ home addresses are not relevant to this case or motion. In addition, Section A.5(b)(i) of the Court’s Individual Rules identifies home addresses as information that should be treated with caution and may warrant a motion for approval of redacted filing. The Plaintiff will file publicly redacted versions of Exhibits 44 and 45 that redact only the home addresses disclosed in the former employees’ testimony.

5. Plaintiff therefore requests that the Court grant it leave to file under seal unredacted versions of Exhibit 44 and 45.

Dated: June 17, 2022

Respectfully submitted,

By: s/ Vickie Reznik
Vickie Reznik

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Application granted. The unredacted versions of Exhibits 44 and 45 (at docket entry no. 280) will be maintained under their current selected-parties-only viewing restriction level. DE# 276 resolved.

SO ORDERED.

Dated: June 22, 2022

/s/ Laura Taylor Swain, Chief U.S.D.J.